This case is printed here because *Leisy* v. *Hardin* was decided upon its authority: *infra*, page 490. It is also interesting as showing how much more accurate in his understanding of the law, was the Judge of the Superior Court (Hon. Henry Bank, Jr.) than the Supreme Court of the State, owing to the influence of the unreversed, though actually valueless *License Cases* of 1847. The test of an unbroken, original package, prevents one State from boycotting the products of other States, by declaring them not to be articles of commerce or to be dangerous to the welfare of its citizens.

The precise point in respect to the boxed bottles of whiskey was not involved in the case which did reach the Supreme Court of the United States, and in that sense, remains undecided. But the decision of the Superior Court is so advantageous to the powers of the local authorities, and so completely accords with the principles of *Brown* v. *Maryland*, that it would be a serious task to ask its reversal.

Supreme Court of Iowa.

GRUSENDORF *v.* HOWAT.

The sale of an original package is subject to the laws of the State, as the Congressional powers over interstate commerce terminate upon the delivery of the package within the State.

Certiorari to the District Court of Clinton County.

W. C. Grohe and *P. B. Wolfe*, for the plaintiff.

Hon. *A. J. Baker*, Attorney General, for the defendant.

REED, C. J., February 7, 1889. The plaintiff was, in a proceeding, enjoined from carrying on the business of selling intoxicating liquors in a certain designated building in the City of Clinton. Afterwards a complaint was filed in the Court, charging him with a violation of the injunction. He was cited to appear before the Court and show cause why he should not be punished for contempt. On the trial, it was shown that he had, after the injunction, sold intoxicating liquors in the building named. In defense, he showed that the liquors sold by him were purchased in the State of Illinois, and were transported to him in this State by a common carrier, and that he sold the same in the packages in which they were when he purchased them, and in which they were transported to this State. The Court adjudged him to be in contempt, and entered judgment against him, imposing a fine and imprisonment. He thereupon sued out a writ of *certiorari* from this

Court, and in obedience to that mandate, the trial judge has certified the record of the proceeding to us. The judgment of the lower court is in accord with our holding in the foregoing case of *Collins* v. *Hills*.

The writ will therefore be dismissed.

The principle of this case is clearly not in accord with the law, as stated in *Brown* v. *Maryland* (*supra*, pages 439, 442), *Low* v. *Austin* (Id. 443, 444), *The Passenger Cases* (Id. 459, 462, 465), and the subsequent decisions of the Supreme Court of the United States. The first positive appearance of such doctrine was in *N. Y.* v. *Miln* (*supra*, pages 448, 450), and the strong root which has flourished from 1847, when the *License Cases* (*supra*, pages 433, 456), were decided, has nourished many State decisions without the Courts perceiving the full effect of the principles laid down by Justice CURTIS, in *Cooley* v. *Port Wardens* (*supra*, pages 466, 470). Careful reading cannot but verify the statement of Chief Justice FULLER, (*infra*, page 507) that the authority of the New Hampshire License Case has been distinctly overthrown.

Supreme Court of Iowa.

LEISY *et al.* v. HARDIN.

The sale of liquors in the original packages in which they are brought from another State, may be prohibited under the police powers of the place of sale.

Appeal from the Superior Court of Keokuk County.

William B. Collins and *H. Scott Howell & Son*, for the appellants.

Anderson & Davis, for the appellee.

ROTHROCK, J., October 4, 1889. (After stating the facts substantially as on pages 490–2, *infra*.) We have stated the facts somewhat in detail for the purpose of demonstrating that they present the same question determined by this Court in the cases of *Collins* v. *Hills*, and in *Grusendorf* v. *Howat*, *supra*. Counsel for appellees concede, in argument, that the cases cited involve the same controlling question. It is true they claim that in this case there is the exception that the plaintiffs and appellees are citizens and residents of Illinois, and produce and manufacture their beer in that State, and sell it as manufacturers; but no claim is made, in argument, and we can discover no reason why the laws of this State, which for-